

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

JONATHAN L. BOOKER

Plaintiff,

v.

Case No: 3:21cv00014

Richmond City Circuit Court Case No. CL20-878-3

SYSCO CORPORATION,

and

THE SYGMA NETWORK, INC.,

and

THE SYGMA NETWORK OF PENNSYLVANIA,

and

CODY W. JONES

Defendants.

JOINT NOTICE OF REMOVAL

Defendants Sysco Corporation, The Sygma Network, Inc., the Sygma Network of Pennsylvania, Inc. and Cody W. Jones (collectively “Defendants”), by counsel, and pursuant to 28 U.S.C. §§ 1441 and 1446, file this Joint Notice of Removal on the following grounds:

1. Plaintiff Jonathan L. Booker filed a Complaint in the Circuit Court for the City of Richmond, Virginia on February 20, 2020 alleging a personal injury claim against Defendants for injuries from an accident on March 7, 2018 on I-64 west at or near the Merrimac Trail exit in York County, Virginia. Complaint at ¶ 8. A copy of the Complaint is attached hereto as Exhibit A.
2. Plaintiff has not yet served any of the Defendants with a copy of the Complaint and a summons.

3. Defendants jointly filed an Answer to Plaintiff's Complaint on January 8, 2021. A copy of Defendants' Joint Answer is attached hereto as Exhibit B. Defendants joint Motion to Transfer Venue is attached as Exhibit C.

GROUND FOR REMOVAL

4. Plaintiff is a Virginia resident and is therefore a citizen of Virginia.

5. Sysco Corporation is a Delaware corporation with its principal place of business in Houston, Texas.

6. The Sygma Network, Inc. is a Delaware corporation with its principal place of business in Houston, Texas.

7. The Sygma Network of Pennsylvania is a Delaware corporation with its principal place of business in Mechanicsburg, Pennsylvania.

8. Cody W. Jones is a Pennsylvania resident and is therefore a citizen of Pennsylvania.

9. This action therefore involves a controversy wholly between citizens of different states. There is complete diversity of citizenship.

10. Plaintiff's Complaint seeks \$17,500,000 in damages against Defendants, and it otherwise alleges that Plaintiff "sustain[ed] serious and permanent injuries; has suffered and will continue to suffer great pain of body and mind and inconvenience; has incurred and will continue to incur medical bills in an effort to be cured of said injuries; and has incurred and will continue to incur loss of income and loss of earning capacity." Complaint at ¶ 13.

11. The amount in controversy therefore exceeds \$75,000, exclusive of interest and costs.

12. This Court therefore has original jurisdiction in this matter pursuant to 28 U.S.C. § 1332(a), and it may be removed to this Court pursuant to 28 U.S.C. § 1441(a).

COMPLIANCE WITH PROCEDURAL REQUIREMENTS

13. This Notice of Removal is being filed within thirty (30) days of service.

14. Pursuant to 28 U.S.C. § 1441(a), venue of this removal action is proper in the Eastern District of Virginia, Richmond Division, because it is in the district and division embracing the place where the state court action is pending.

15. Promptly after the filing of this Joint Notice of Removal, Defendants will give written notice of the removal to Plaintiff, the adverse party, and will file a copy of this Joint Notice of Removal with the Circuit Court for the City of Richmond, as required by 28 U.S.C. § 1446(d).

16. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders served upon the Defendants in the state court action have been attached hereto.


17. Sysco Corporation, The Sygma Network, Inc., The Sygma Network of Pennsylvania, and Cody W. Jones, the Defendants in this action, all consent to removal.

18. Defendants demand a trial by jury, and a Notice of Demand of Trial by Jury is attached hereto as Exhibit D.

WHEREFORE, Sysco Corporation, The Sygma Network, Inc., The Sygma Network of Pennsylvania, and Cody W. Jones, by counsel, respectfully request that this action be removed from the Circuit Court for the City of Richmond to this Court.

SYSKO CORPORATION,
THE SYGMA NETWORK, INC.,
THE SYGMA NETWORK OF PENNSYLVANIA,
CODY W. JONES

By: _____


Counsel

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Counsel for Defendants


CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of January, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the following:

S. Geoffrey Glick (VSB No. 28800)
Attorney for Plaintiff
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(804) 800-8000
(804)358-2262 (F)
gglick@joelbieber.com

And I hereby certify that on this 8th day of January, 2021, I caused a true copy of the foregoing to be sent via U.S. mail to:

Hon. Edward F. Jewett, Clerk
Richmond City Circuit Court
400 North Ninth Street
John Marshall Courts Building
Richmond, VA 23219



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